



A33-1-PCT-USA 067858.0101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vivier

Serial No.: 09/529,759

Examiner: Chakrabarti, A.

Filed : April 18, 2000

Group Art Unit: 1655

For : DOCUMENTING REPERTOIRES OF NKR
IMMUNORECEPTORS AND/OR OF ACTIVATORY OR
NON-INHIBITORY IMMUNORECEPTOR COUNTERPARTS
OF NKR IMMUNORECEPTORS

RESPONSE TO RESTRICTION REQUIREMENT

I hereby certify that this paper is being deposited with the United States
Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231

October 11, 2001

Date of Deposit

Carmella L. Stephens

Attorney Name

Carmella L. Stephens

Signature

41,328

PTO Registration No.

October 11, 2001

Date of Signature

Assistant Commissioner for Patents
Washington, DC 20231

In response to the Restriction Requirement dated September 11, 2001,
please consider the following remarks. The Examiner has stated that the claims of the
present application contain two inventions, which he has divided into the following
groups:

Group I, claims 24-55, drawn to a method for identifying the repertoire of

NKR inhibitory immunoreceptors; and

Group II, claims 56-57, drawn to a kit containing oligonucleotides and
reagents.

TECH CENTER 1600/2900

OCT 18 2001

RECEIVED

According to the Examiner, the inventions are distinct, each from the other because of the following reasons: a preliminary search report discloses an anticipatory reference against claim 24. The Examiner maintains that claims 24 and 56 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features.

In response, Applicants elect to pursue the claims of Group I in this application without prejudice to the prosecution of the subject matter of non-elected claims in other patent applications. Applicants make their election with traverse, on the grounds that the claimed processes of Group I and Group II are conceptually linked, and would not require separate searches. Accordingly, Applicants request that the restriction requirement be reconsidered.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted,

Dated: October 11, 2001

Carmella L. Stephens

John Murnane
Patent Office Reg. No. 29,836

Carmella L. Stephens
Patent Office Reg. No. 41,328

BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, New York 10112-0228

Attorneys for Applicant
(212) 408-2500